

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
CENTRAL DIVISION

CIVIL ACTION NO: 05-CV-40072

FDS

LANDWORKS CREATIONS, LLC )  
Plaintiff )  
v. )  
UNITED STATES FIDELITY AND )  
GUARANTY COMPANY and )  
LOVETT-SILVERMAN CONSTRUCTION )  
CONSULTANTS, INC. )  
Defendants )

PLAINTIFF'S DEPOSITION TESTIMONY DESIGNATION LIST

Now comes the Plaintiff, Landworks Creations, LLC, and submits the list of the following deposition testimony it intends to introduce at trial, under the requirements and provisions of F.R.C.P. 32(a)(3)(B) and (D) on the grounds that the witnesses identified are either in excess of 100 miles from the location of trial, or that they are not subject to compelled attendance by subpoena: The Plaintiff reserves the right to withdraw this testimony, or to use portions for direct testimony, rebuttal or defense of the Counterclaim.

Deposition of William A. Meritz, taken January 11, 2007  
Resident of East Meadow, New York (184.82 miles from Worcester)

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Deposition of Anthony Joseph Lardaro, taken January 11, 2007  
Resident of Kings Park New York (203.77 miles from Worcester)

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Deposition of Robert S. Bullock, taken January 11, 2007  
Resident of Carlisle, PA (368.67 miles from Worcester)

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Deposition of James M. Peters, taken January 11, 2007  
Resident of Simsbury, Ct (71.90 miles from Worcester)

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Respectfully Submitted,

The Plaintiff,

By its attorney,

s/Robert N. Meltzer

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